



Dkt. 0575/61152-A/JPW/AJM/MML

In re Application of: Saul J. Silverstein et al.

Serial No.: 09/769,699

Examiner: G. Leffers Jr.

Filed: January 25, 2001

Group Art Unit: 1636

For: VZV ORF29p PROTEIN-RELATED COMPOSITIONS AND METHODS

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 14, 2004

Sir:

Transmitted herewith is an amendment to the above-identified application.

☒ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

☒ No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE					FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTIT Y		
Total Claims	4	-	* (20)	=	0	X	\$9	\$18	=	\$0	0		
Indepen- dent Claims	2	-	** (3)	=	0	X	\$42	\$84	=	0	0		
Multiple Dependent Claim(s) Presented _____ Yes <u>X</u> No For First Time							\$140	\$280	0	\$140	0		
							TOTAL ADDITIONAL FEE					\$0	

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

**If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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Amendment Transmittal Letter

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The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

____ Please charge Deposit Account No.
in the amount of \$_____.

____ A check in the amount of \$_____ is enclosed.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

X Any filing fees under 37 C.F.R. \$1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. \$1.17.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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New York, NY 10036
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AMENDMENT IN RESPONSE TO FEBRUARY 25, 2004 FINAL OFFICE ACTION

This Amendment is submitted in response to the February 25, 2004 Final Office Action issued in connection with the above-identified patent application. A response to the February 25, 2004 Final Office Action is due May 25, 2004. Accordingly, this Amendment is being timely filed.